

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 5/13/2022
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JACK ARGILA, in his fiduciary capacity as a Trustee of the Stone Setters Local 84 Pension Fund, Annuity Fund, Vacation Fund, Apprentice Fund and Promotion Fund a/k/a Stonesetting Industry Advancement Fund, JACK ARGILA, in his fiduciary capacity as a Trustee of the Bricklayers Local No. 1 Insurance and Welfare Fund, JACK ARGILA, as President of the Bricklayers and Allied Craftworkers Local Union No. 1, B.A.C.I.U., AFL-CIO, and TRUSTEES OF THE BRICKLAYERS AND TROWEL TRADES INTERNATIONAL PENSION FUND AND THE INTERNATIONAL MASONRY INSTITUTE,

Plaintiffs,

-against-

PORT MORRIS TILE & MARBLE LP,

Defendant.

1:20-cv-08388-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

On December 24, 2021, Defendant filed a Notice of Bankruptcy Filing. [ECF No. 33]. On December 23, 2021, Defendant filed for chapter 7 bankruptcy before the United States Bankruptcy Court for the Southern District of New York under case number 21-12116. [ECF No. 33].

Accordingly, IT IS HEREBY ORDERED that this matter is automatically stayed pursuant to Section 362 of the Bankruptcy Code, 11 U.S.C. § 362, by reason of the filing of the bankruptcy petition in the United States Bankruptcy Court for the Southern District of New York under case number 21-12116.

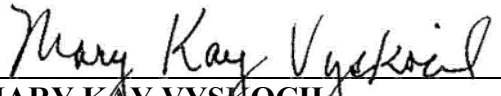
IT IS FURTHER ORDERED that Defendant shall file a report on the status of the Bankruptcy Cases on or before May 27, 2022, and every three months thereafter, or within one week of the termination of the Bankruptcy Cases or any order lifting the bankruptcy stay with respect to this case.

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment [ECF No. 27] is DENIED without prejudice with leave to refile after any order lifting the bankruptcy stay with respect to this case.

The clerk of court is respectfully requested to terminate docket entry 27.

**SO ORDERED.**

**Date: May 13, 2022**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**